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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,661	08/28/2001	Luis Gravano	0026-0016	4877

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HARRITY SNYDER, LLP
11350 Random Hills Road
SUITE 600
FAIRFAX, VA 22030

EXAMINER

VEILLARD, JACQUES

ART UNIT	PAPER NUMBER
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2165

DATE MAILED: 01/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/939,661

Applicant(s)

GRAVANO ET AL.

Examiner

Jacques Veillard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-13, 15-18, and 20-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the applicant's communication filed on 10/14/2005.
2. Claims 1,5-11, 14, 15, 18-25 have been amended, and claims 26-29 added.
3. Claims 1-29 are pending and are presented for examination.
4. Applicant(s) is/are advised that a one month extension fee has been charged on his account as requested in the communication filed to the Office on October 14, 2005.

Response to Arguments

5. Applicant's arguments, see applicant's remarks, filed on October 14, 2005, with respect to the rejection(s) of claim(s) 1-25 under 35 U. S. C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made based on 35 U.S.C. 101.

Claim Rejections - 35 USC § 101

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-13, 15-18, and 20-29 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically, directed towards an **abstract idea**.

Claims 1-13, 15-18, and 20-29 in view of **MPEP section 2106 IV.B.2. (b)** define a non-statutory process because they merely manipulate an abstract idea without a claimed limitation to

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a practical application. The language of the claim raises a question as to whether the claims are directed merely to abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U. S. C. 101. The invention, as claimed, is directed to the manipulation of an abstract idea with no practical application in the technology art. Thus, the claims are rejected as being non-statutory.

The Supreme Court has repeatedly held that abstractions are not patentable. "An idea of itself is not patentable". Rubber-Tip Pencil Co. V. Howard, 20 Wall. 498, 07. Phenomena of nature, though just discovered, mental processes, abstract intellectual concepts are not patentable, as they are the basic tools of scientific and technological work Gottschalk v. Benson, 175 USPQ 673, 675 (S Ct 1972). It is a common place that laws of nature, physical phenomena, and abstract ideas are not patentable subject matter Parker v. Flook, 197 USPQ 193, 201 (S Ct 1978). A process that consists solely of the manipulation of an abstract idea is not concrete or tangible. See In re Warmerdam, 33 F.3d 1354, 1360, 31 USPQ2d 1754, 1759 (Fed. Cir. 1994). See also Schrader, 22 F.3d at 295, 30 USPQ2d at 1459.

Claims 1-13, 15-18, and 20-29 represent an abstract idea that does not provide a practical application in the technological arts. There is no manipulation of data nor there is any transformation of data from one state to another state being performed in "An automated method for performing cross-language query translation"; "A system for translating search queries"; "A system for performing cross-language query translation"; "A method for performing cross-language document retrieval". Actually, no post-computer process activity is found in the technological arts. "An automated method for performing cross-language query translation"; "A

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system for translating search queries”; “A system for performing cross-language query translation”; “A method for performing cross-language document retrieval” is not a physical transformation. Thus, no physical transformation is performed, no practical application is found in the claims. Also, the claims do not appear to correspond to a specific machine or manufacture disclosed within the specification and thus encompasses any product of the class configured in any manner to perform the underlying process. Claims 1-13, 15-18, and 20-29 are not **tangibly embodied** in a manner so as to be executable as the only hardware is in an intended use statement. Therefore, claims 1-13, 15-18, and 20-29 are directed to abstract idea that is not tied to a technological art, environment or machine which would result in a practical application producing a concrete, useful, and tangible result to form the basis of statutory subject matter under 35 U. S. C. 101. Applicant (s) is/are advised to amend the claims by specifying the claims being directed to a practical application and producing a tangible result being executable by a general purpose computer in order to correct the indicated deficiencies.

Allowable Subject Matter

7. Claims 14 and 19 are allowed over the prior art made of record.

8. The following is a statement of reasons for the indication of allowable subject matter: the prior art taken singularly or in combination fail to teach or suggest:

a) instructions for finding documents in a first language that contain links having associated content that matches the terms of a search query, the links referring to documents in a second language, and instructions for disambiguating among the possible translations of the

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terms of the search query using the identified documents to translate the search query into the second language as recited in independent claim 14.

b) performing a search of documents in a first language to locate one or more of a first language documents that match the search query, identifying documents in a second language that contain links that refer to the one or more first language documents, determining possible translations of the terms of the search query into a second language, using the identified second language documents as parallel corpora for disambiguation among the possible translations of the terms of the search query, identifying one of the possible translations as a correct translation of the search query based on the disambiguation and performing a search of second language documents using the correct translation of the search query as recited in claim 19.

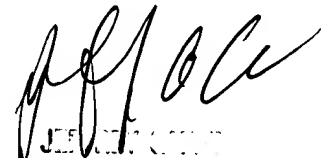
Point of contact

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacques Veillard whose telephone number is (571) 272-4086. The examiner can normally be reached on Mon. to Fri. from 9 AM to 4:30 PM, alt. Fri. off..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272- 4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JACQUES VEILLARD
SUPERVISOR
TECHNICAL

J.V

Jacques Veillard
Patent Examiner AU 2165

December 29, 2005